

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

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2005 SEP 27 P 1:49

RICHARD WAYNE WRIGHT, SR.,

Plaintiff,

VS.

SYLVESTER NETTLES, et. al.,

Defendant's.

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CIVIL CASE NO. 2:05-CV-439-A

U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

MOTION FOR REQUEST TO HOLD DEFENDANTS IN ABEYANCE

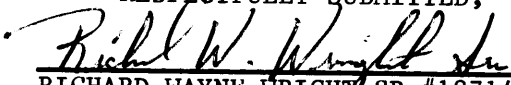
COMES NOW, Plaintiff, Richard Wayne Wright, Sr., Pro-Se. and filed this motion asking that this Court hold the following defendants in abeyance which were "not served" said complaint. These defendants which are to be considered are as following: Timothy Holmes, Dr. Smith, Dr. Hammer, Steve \_\_\_\_\_ (Dr. Hammer assistant) Keith Armagost, Mrs. Biven-Tutt, and Walton Solomon (inmate). Plaintiff is restricted (due to incarceration) to perform very little if any amount of back ground checks on the above listed defendants which were not served yet and are listed as a part of said complaint. Plaintiff has had to rely on the defendants and/or defendants conselor to supply him with the current addresses of the defendants which were not served do to incorrect employment addresses. Plaintiff has no way of leaving the prison to track down defendants (which were not served the complaint) neither do plaintiff have the ability to hirer an attorney and/or private investigator (who) has the skill and knowledge in locating people, nor does plaintiff has the ability to call outside organization (due to phone restriction and limitation in accord to incarceration design by the (ALABAMA DEPARTMENT OF CORRECTION (A.D.O.C.)). Plaintiff is attemp to obtain outside help, but

has not yet made a successful contact.

For such reasons as listed within this motion plaintiff ask that this motion be granted. By granting said motion would be an aid (in) plaintiff attempt to locate the defendants which are no longer employed at the addresses last known to the plaintiff. It is beleave by granting this motion will not unduly prejudice the defendants.

DONE THIS THE 24<sup>th</sup> DAY OF SEPTEMBER, 2005.

RESPECTFULLY SUBMITTED,

  
RICHARD WAYNE WRIGHT SR. #187140  
VENTRESS CORRECTIONAL FACILITY  
DORM 10/B BED 55/B  
POST OFFICE BOX 767  
CLAYTON, ALABAMA 36016

CERTIFICATE OF SERVICE

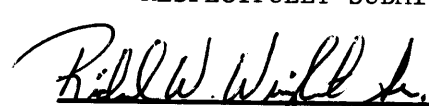
~~This is to~~ certify that I am the petitioner in the above encaptioned matter and I have this the 24<sup>th</sup> day of September, 2005, sent the MOTION FOR REQUEST TO HOLD DEFENDANTS IN ABEYANCE to the clerk of this Court and the following defendant's counsels:

DAVID B. BLOCK  
WILLIAM R. LUNSFORD  
BALCH & BINGHAM LLP  
POST OFFICE BOX 18668  
HUNTSVILLE, ALA. 35804-8668

KIM T. THOMAS  
GREGG M. BIGGS  
ALABAMA DEPARTMENT OF CORRECTION  
LEGAL DIVISION  
MONTGOMERY, ALABAMA 36130  
301 Ripley Street R.W.W.

by placing same in the United States mail box at Ventress Correctional Facility, first class postage prepaid and properly address this on the 24<sup>th</sup> day of September, 2005.

RESPECTFULLY SUBMITTED,

  
RICHARD WAYNE WRIGHT, SR., #187140  
Plaintiff, Pro-Se.